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SIPDIS

DEPARTMENT FOR EUR/CACEN; TBILISI FOR REFCOORD CHEEVER

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TAGS: [KZ](#) [MOPS](#) [PHUM](#) [UZ](#) [POLITICAL](#)

SUBJECT: KAZAKHSTAN: CONVERSATION WITH UZBEK HUMAN RIGHTS
ACTIVIST LUTFULLO SHAMSIDDINOV

REF: A. A) TASHKENT 1544

[B](#). B) TASHKENT 1537

[C](#). C) TASHKENT 1536

[D](#). D) TASHKENT 1446

[E](#). E) IIR 6 955 0183 05

Classified By: CDA Mark Asquino, reasons 1.4 (B) and (D).

[1](#). (C) Summary: POEC chief met with Uzbek human rights activist Lutfullo Shamsiddinov (refs A-C) and his wife on June 2 to discuss their efforts to obtain refugee status in Kazakhstan. Shamsiddinov, who is from Andijon and witnessed the killing of civilians there on May 13, also briefed POEC chief on what he saw. He estimated that up to 300 people, only 25 of whom were armed, were killed on Cholpon Street the evening of May 13.

Seeking Asylum

[1](#)2. (C) As reported ref A, Uzbek human rights activist Lutfullo Shamsiddinov fled with his family to Kazakhstan on May 26. They reached Almaty on May 27 and immediately contacted UNHCR to request refugee status. UNHCR protection officer Narasimha Rao told POEC chief on May 31 that due to the political sensitivity of the case and the fact that the Kazakhstani Department of Migration had expressed reluctance to take the lead, UNHCR would make the refugee determination itself. After Shamsiddinov's first in-depth interview with UNHCR on June 3, Rao told POEC chief that Shamsiddinov's claim to refugee status appeared clear due to his activities in Andijon May 13-14 and the fact that he is a known human rights activist. Rao indicated that it might take less than two weeks to make the determination.

[1](#)3. (C) In a June 2 meeting with POEC chief, Shamsiddinov expressed concern that Kazakhstani authorities might return him and the six members of his family to Uzbekistan. They have rented an apartment and registered with immigration authorities as required by law. Although they have had no problems with Kazakhstani authorities to date, Shamsiddinov said that he has reason to believe that at an upcoming 'summit' (most likely the June 3 meeting of SCO Security Council heads in Astana), the GOU will ask the GOK to return him. He is particularly concerned because UNHCR has not yet issued him any documents proving that he is seeking refugee status. He asked if there was any way for his family to be sent to a third country to await the determination.

Shamsiddinov's Involvement

[1](#)4. (C) Shamsiddinov, of the Independent Human Rights Society of Uzbekistan, told POEC chief that he had monitored the trial in Andijon of the 23 Islamic businessmen charged with anti-constitutional activity and extremism, the Akromiylar. He stressed that the friends and relatives of the accused who observed the trial each day had behaved in a completely orderly way throughout the proceedings. Shamsiddinov asserted that the presiding judge had received instructions from above to find the accused guilty, but had demonstrated that she did not think the charges were founded by handing down sentences that were less strict than usual for extremism cases. He claimed that such cases usually brought a minimum sentence of five years; in this case, three of the Akromiylar had been freed, one had been paroled, and 13 had been sentenced to only three years imprisonment. The remaining six defendants had received five, six, or seven year terms.

May 13 Events in Andijon

[1](#)5. (C) Shamsiddinov said that when he learned of the attacks on the morning of May 13, he went to the oblast administration building (hokhimyat). That morning he saw five or six dead bodies on the street near SNB headquarters and the hokhimyat, including both militia and civilians, and several burned out vehicles. At the hokhimyat he saw armed people in civilian clothes, and two to three thousand people

(including women and children) gathered in the square. People took turns speaking about hard economic times, the unfair justice system, abusive tax inspections, and beatings

by the security forces. Several wives whose husbands had been imprisoned on extremism charges complained of the shame of being forced to clean houses or work abroad to feed their families. Shamsiddinov stressed that he did not hear one political statement during the speeches, only complaints of mistreatment by authorities.

16. (C) Many of the people with weapons were the Akromiylar, men he recognized immediately from having attended their trial. Shamsiddinov said that he rebuked them for using force instead of waiting for the appeals process and the results of the peaceful protests.

17. (C) By mid-day on May 13, according to Shamsiddinov, the militia had practically abandoned the center of Andijon and many residents were out in the streets. He estimated that 50,000 to 100,000 people were in the streets within a three kilometer radius of the main square. He claimed that militia and MVD forces fired on people three to four times from noon to 14:00, killing 20 to 30 people in the vicinity of the hokhimyat. Negotiations were then held from 14:00 to 16:00. By that evening, he said, approximately 15,000 people had gathered on the square. At some point after the negotiations ended, the crowd in the square divided and approximately 2000 people left the northern side of the square by Cholpon St. Shamsiddinov said he was standing on Cholpon St. in front of School No. 15, across the street from a movie theater, when he saw the crowd approaching (see ref D, para 9, and ref E, para. 9). At the front were 13 government officials who were being held hostage; they included the presiding judge from the Akromiylar case, a militia member, a procurator, an SNB representative, and a tax inspector. There were also approximately 25 Akromiylar members with guns, and about 2000 civilians, including women and children.

18. (C) According to Shamsiddinov, two armored personnel carriers parked just north of School No. 15 on Cholpon St. opened fire on the crowd at 18:15. He ran into an alley on the south side of School No. 15 but stayed close enough to the street to see the shooting. Shamsiddinov claimed that the Akromiylar members tried to shoot back in self-defense, but did not know how to use the weapons they had seized and were killed relatively quickly. He said that the BTRs continued to fire on the crowd as people attempted to flee. The large caliber weapons inflicted severe damage. He estimated that 300 people were killed.

19. (C) Shamsiddinov said he went back to the scene of the shooting early the morning of May 14. He gathered spent cartridges from the BTRs, some approximately one inch long and some two inches long, as evidence. His associate Saidjahon Zainabitdinov later displayed these cartridges in a television interview with Western media before his arrest. Shamsiddinov said that he saw government officials load four trucks and one bus with bodies; many of them were women and children. They left the bodies of 17 "young and strong" men with weapons in the street, presumably, he said, to give the impression that only "terrorists" had been killed. Shamsiddinov said he thought that many of the bodies had already been collected before he returned on May 14. The street was covered in blood.

Decision to Flee

10. (C) Over the course of the day on May 13, Shamsiddinov had been reporting what he saw to Western media outlets and embassies. Some of the media outlets had quoted him by name, and his associate Zainabitdinov had been shown on television. Shamsiddinov said he began to hear of GOU threats against witnesses, and decided to flee with some members of his family. He initially went to Osh, Kyrgyzstan, but they were not admitted into the refugee camp and could not find anywhere to stay. They spent one night on the streets and then returned to Andijon. Zainabitdinov was arrested when trying to return to Uzbekistan. Shamsiddinov believes he escaped detection only because he used a different border crossing point (Kara Sov) and was accompanied by his family.

ASQUINO

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